

Remarks

Claims 1, 3-7, 9-13, and 15-18 are currently pending in this application.

The final Office Action rejected claims 1, 3-7, 9-13, and 15-18 under 35 U.S.C. § 103(a) as being unpatentable over Wolfston, Jr. (U.S. Patent No. 5,815,155; hereinafter “Wolfston”) in view of Athletes & Coaches Choice, Inc. (hereinafter “ACCI”; November 28, 1999, retrieved from www.archive.org/http://web.archive.org/web/19991128065521/http://accigameplan.com/, on May 6, 2004). Applicant respectfully traverses the Section 103(a) rejection of claims 1, 3-7, 9-13, and 15-18 for the following reasons.

Both Wolfston and ACCI fail to disclose a system or method that enables athletes to search a database of numerous schools to enable the athletes to match their skills with schools seeking their specific skills. Rather, Wolfston merely discloses displaying information about schools matching search criteria inputted by users. Wolfston makes no mention of matching athletes with schools. The final Office Action readily admits this. The Office Action’s reliance on ACCI for this disclosure is misplaced.

ACCI discloses a system where coaches can search for athletes but athletes cannot search a database of schools to enable the athletes to match their skills with schools seeking their skills. The “Find A College” section of ACCI (referenced at p. 7 of ACCI; copy attached as Exhibit 1) does not provide a search engine, but rather provides students with hyperlinks to general school search engines (e.g., aol.com, embark.com, Princeton Review.com, etc.). The “Find A Coach” section of ACCI (referenced at pp. 7-8 of ACCI; copy attached as Exhibit 2) provides a search engine that enables athletes to find a specific coach from a coaches database. Thus, both the “Find A College” and “Find A Coach” sections of ACCI fail to disclose or suggest a system or method that enables

athletes to search a database of numerous schools to enable the athletes to match their skills with schools seeking their specific skills.

In contrast to Wolfston and ACCI, the present invention recited in claims 1, 3-7, 9-13, and 15-18, for example, comprises a combination of elements, including a system (or method) that enables athletes to search a database of numerous schools to enable the athletes to match their skills with schools seeking their specific skills. As discussed above, neither Wolfston nor ACCI, whether taken alone or in any reasonable combination, discloses such a system or method.

Applicant respectfully requests that this Response under 37 C.F.R. § 1.116 be entered, placing claims 1, 3-7, 9-13, and 15-18 in condition for allowance. Applicant submits that the Response does not raise new issues or necessitate the undertaking of any additional search of the art, since all of the elements and their relationships claimed were earlier claimed. Therefore, this Response should allow for immediate action by the Examiner.

Furthermore, Applicant respectfully points out that the final Office Action presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicant submits that the entry of the Response would place the application in better form for appeal, should the patentability of the pending claims still be disputed.

In view of the foregoing remarks, Applicant submits that the claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Response, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Application No. 09/917,999
Response After Final dated August 11, 2004
Reply to final Office Action of May 11, 2004

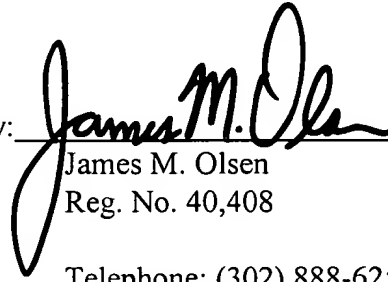
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

Dated: August 11, 2004

By: _____

A handwritten signature in black ink, appearing to read "James M. Olsen", is written over a horizontal line.

James M. Olsen
Reg. No. 40,408

Telephone: (302) 888-6256
Facsimile: (302) 255-4256